

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

Case No. 1:18-op-46136-DAP

Case No. 1:19-op-45913-DAP

Case No. 1:21-op-45092-DAP

Case No. 1:22-op-45025-DAP

MDL No. 2804

Hon. Dan Aaron Polster

**MOTION FOR LEAVE TO FILE SETTLED DEFENDANTS' MOTION TO DISMISS
CLAIMS FILED BY NON-PARTICIPATING FLORIDA SUBDIVISIONS AS
RELEASED BY THE ATTORNEY GENERAL PURSUANT TO SETTLEMENT**

In compliance with Case Management Order One ¶ 6(g) (Dkt. No. 232), Settled Defendants¹ move the Court for leave to file their Motion To Dismiss Claims Filed By Non-Participating Florida Subdivisions As Released By The Attorney General Pursuant To Settlement (the "Motion"). The Motion seeks dismissal of claims asserted by Plaintiffs Lee Memorial Health System, d/b/a Lee Health (Case No. 1:21-op-45092-DAP); Sarasota County Public Hospital District d/b/a Memorial Healthcare System, Inc. (Case No. 1:18-op-46136-DAP);

¹ The Settled Defendants are Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen, Pharmaceuticals, Inc., Janssen Pharmaceutica, Inc. (collectively, "Janssen"), AmerisourceBergen Corporation, AmerisourceBergen Drug Corporation, McKesson Corporation, and Cardinal Health, Inc. (collectively, "Distributors") as well as any other Released Entities, as that term is defined in the Settlement Agreements, that have been named as defendants in Plaintiffs' Complaints. *See* Exhibit A at 1 n. 1.

School Board of Miami-Dade (Case No. 1:19-op-45913-DAP); and Putnam County School Board (Case No. 1:22-op-45025-DAP) (“Plaintiffs”). As set forth in the Motion, Plaintiffs’ claims against Settled Defendants have been released by the Florida Attorney General pursuant to the Janssen and Distributor Global Settlements.

A copy of the Motion is attached hereto as **Exhibit A**.

Dated: June 14, 2023

Respectfully submitted,

/s/ Robert A. Nicholas

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CERTIFICATE OF SERVICE

I hereby certify that, on June 14, 2023, the Motion for Leave to File Settling Distributors' Motion To Dismiss Claims Filed By Non-Participating Florida Subdivisions As Released By The Attorney General Pursuant To Settlement was served on all counsel of record via the CM/ECF system.

/s/ Robert A. Nicholas

Robert A. Nicholas